

## NIGERIA

### MILITARY REVENGE IN BENUE: A Population Under Attack

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## I. SUMMARY

On October 22 to 24, 2001, several hundred soldiers of the Nigerian army killed more than two hundred unarmed civilians and destroyed homes, shops, public buildings and other property in more than seven towns and villages in Benue State, in central-eastern Nigeria. The small town of Gbeji was among the worst-hit locations: more than 150 people were killed there alone, while more than twenty were killed in the larger market town of Zaki-Biam, and others were killed in several other villages. It was a well-planned military operation, carried out in reprisal for the killing of nineteen soldiers in the area two weeks earlier, which was attributed to members of the Tiv ethnic group. Those who died at the hands of the military were victims of collective punishment, targeted simply because they belonged to the same ethnic group.

The killings in Benue State constitute clear cases of extrajudicial executions by the Nigerian military, contravening Nigeria's obligations under international human rights law. Yet the Nigerian government has so far failed to take action against the soldiers responsible or against those who ordered the operation, or even to issue a strong condemnation of these killings. On the contrary, in his initial statements to the Nigerian media, President Olusegun Obasanjo appeared to defend these actions and seek to legitimise them. After forcefully denouncing the killing of the nineteen soldiers and urging that no effort be spared to track down the perpetrators, his response to the news that the military had in turn killed unarmed civilians was surprisingly muted. He even indicated that this was the kind of response which could be expected from soldiers, and that they may have been acting in self-defense. Following criticism from human rights groups and others, the Nigerian government eventually set up a commission of inquiry. However, its remit is vague; it extends well beyond the specific events in Benue and does not include any specific reference to the massacres by the military. Four months after the events, the commission of inquiry has still not begun its work. The government's failure to condemn or investigate the killings in Benue amounts to an encouragement for the military to continue perpetrating human rights violations with impunity.

At the international level, foreign governments remained conspicuously silent. While some mentioned the Benue killings in private meetings with Nigerian officials, they refrained from doing so publicly. A week after the massacres, President Obasanjo visited the United States for talks with President Bush and other U.S. government officials—a unique opportunity for the U.S. government to raise the issue forcefully. However, U.S. officials did not express concern publicly about the killings in Benue, and their meetings with President Obasanjo were dominated by discussions about measures to fight terrorism.

In December 2001, Human Rights Watch visited the areas affected by these events in Benue and spoke to many eye-witnesses and survivors, including victims who had been seriously injured by the soldiers and were still in hospital two months later. The victims were from a cross section of society; the majority were men, but a number of women and children were also killed. Human Rights Watch was able to see the widespread destruction in several locations; many residents had been left homeless after soldiers had burnt their houses to ashes. Several towns and villages were still littered with burnt wreckage, and bullet holes and traces of blood were still visible in some sites.

The witnesses and survivors interviewed by Human Rights Watch all confirmed, without exception, that the military had entered their towns or villages with the clear intention of killing and destroying, and that all those killed or injured had been unarmed and posing no threat to the soldiers. Their testimonies illustrate clear coordination and planning in the military operation. Survivors in several of the incidents described almost identical procedures: troops assembled villagers as if for a meeting, then separated the men from the women and children. Commanders then gave orders to fire on those assembled, by voice command or blasts on whistles. In one case, a whistle was used to call a halt to the firing.

Survivors also recounted explicit comments made by soldiers—some of which are reproduced in this report—which indicated that the soldiers targeted their victims specifically on an ethnic basis, and that the Tiv as a whole were being made to pay the price for the killing of the nineteen soldiers.

Despite the atrocities committed during these three days in October, soldiers were not withdrawn from the area. A heavy military presence was maintained in the town of Katsina-Ala and is still present in February 2002. In late October and November, soldiers carried out further human rights violations, including several cases of rape of young women and girls around Katsina-Ala. Local residents also complained of systematic harassment and humiliation, especially at military roadblocks, including extortion, beatings, and other forms of ill-treatment.

The information in this report is based on testimonies provided to Human Rights Watch during the visit to Benue in mid December 2001. Human Rights Watch carried out this research in conjunction with Human Rights Monitor, a Nigerian human rights organization based in Kaduna. In the course of their research, Human Rights Watch and Human Rights Monitor also gathered information about the broader intercommunal conflict in the area, particularly in Taraba State, which borders Benue to the east: fighting between different ethnic groups, in particular the Tiv and the Jukun, has claimed many lives over the years and has displaced tens of thousands of people from their homes. The conflict, which escalated in the weeks preceding the killings by the military in October 2001, provides the context in which these latest abuses occurred. Human Rights Watch received consistent testimonies from people displaced from various locations in Taraba describing the participation of Nigerian police and military in that conflict in the second half of 2001.

Human Rights Watch urges the Nigerian government to take immediate measures to identify and bring to justice those members of the military responsible for the killings and destruction in Benue in October 2001, particularly those who ordered the operation. The government should issue clear instructions at all levels that extrajudicial executions—murders—of unarmed civilians and other human rights violations by the security forces will not be tolerated. Human Rights Watch is also appealing to the Nigerian government to take all appropriate measures to halt the intercommunal violence in Taraba State and to investigate reports that members of the security forces—both mobile police and military—have actively participated in attacks in the context of this conflict.

The events in Benue were strikingly reminiscent of a military reprisal operation which took place two years earlier, in Odi, in Bayelsa State in the south of Nigeria. In November 1999, following the murder of twelve policemen by an armed group, soldiers went on the rampage in Odi, razed the entire town and killed hundreds of civilians, perhaps as many as 2,000. It remains the single most serious incident in which extrajudicial executions were carried out by the Nigerian armed forces since the government of President Obasanjo came to power in May 1999.<sup>1</sup> Despite the gravity of the actions of the military, and the major national and international outcry which followed, the government has still not prosecuted any member of the armed forces for the mass killings and destruction in Odi. When news broke of the killings of the nineteen soldiers in Benue in October 2001, many Nigerians feared, and warned, that “this could be another Odi.” Tragically, their predictions came true.

## II. RECOMMENDATIONS

These recommendations refer primarily to human rights violations committed by the military in Benue State since October 22, 2001. Human Rights Watch also strongly condemns the abduction, killing, and mutilation of the nineteen soldiers on October 10 and urges that those responsible for those acts be brought to justice. However, the brutality of that incident cannot justify the killings and destruction in the military reprisals that followed.

The Nigerian federal government, at the highest level, has a clear responsibility for these grave human rights violations by the military, especially as the operation was clearly planned in advance with a view to taking revenge on the civilian population of the area. The massacres in Benue constitute a clear violation of Nigeria’s international obligations. Nigeria is a state party to the International Covenant on Civil and Political Rights (ICCPR), article 6 of which states: “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.” The actions of the Nigerian military and the

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<sup>1</sup> For details of these events, see Human Rights Watch background report *The Destruction of Odi and Rape in Choba*, December 22, 1999.

failure of the government so far to take any action to bring those responsible to justice also disregard the U.N. Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, the most authoritative and comprehensive guidelines for governments on the investigation and prevention of extrajudicial executions.<sup>2</sup>

### **To the Nigerian government**

- Set up a prompt, independent, and impartial criminal investigation into the killings and destruction by the military in Gbeji, Zaki-Biam, and other locations in Benue State on October 22 to 24, 2001, and publish the results of the investigation. The criminal investigation should not wait until the commission of inquiry begins its work. It should identify the persons responsible for ordering the military reprisal operation and those who carried out the killings and destruction, and should lead to prosecution of these individuals without delay. In the meantime, these individuals should immediately be suspended from duty.
- Ensure that investigations into the killings in Benue, as well as the work of the commission of inquiry, conform to the U.N. Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions. These Principles provide guidelines for thorough, prompt and impartial investigations into cases of extrajudicial executions, as well as for independent commissions of inquiry in cases where established investigative procedures are inadequate.

Principle 17 states: “A written report shall be made within a reasonable period of time on the methods and findings of such investigations. The report shall be made public immediately and shall include the scope of the inquiry, procedures and methods used to evaluate evidence as well as conclusions and recommendations based on findings of fact and on applicable law. [...] The Government shall, within a reasonable period of time, either reply to the report of the investigation, or indicate the steps taken in response to it.” Principle 18 states: “Governments shall ensure that persons identified by the investigation as having participated in extra-legal, arbitrary or summary executions in any territory under their jurisdiction are brought to justice.”

- Invite the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to conduct her own separate investigation into the killings by the Nigerian military in Benue.
- Provide compensation for people whose homes or sources of livelihood were arbitrarily destroyed by the military and enable them to rebuild their homes. Ensure the speedy reconstruction of other buildings and infrastructure which were destroyed during the military operation.
- Investigate reports of rape, ill-treatment, and harassment by soldiers in Benue since October 2001, and ensure that those found responsible are brought to justice.
- Immediately withdraw from active duty soldiers suspected of having committed human rights violations, including killings, rape, ill-treatment, harassment and extortion, pending investigation.
- Take measures to ensure that in the event of future cases where members of the security forces are abducted or killed, the army does not retaliate by targeting the civilian population.
- Investigate reports that mobile police and soldiers have participated in attacks on civilians and destruction of homes in the course of the conflict in which Tivs oppose Jukuns, particularly in Taraba State, and bring to justice those found responsible. Issue clear instructions to the security forces that they have a duty to

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<sup>2</sup> The U.N. Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions were recommended by Economic and Social Council resolution 1989/65 of 24 May 1989. Paragraph 1 of the resolution recommends that the Principles be taken into account and respected by governments within the framework of their national legislation and practices.

protect the civilian population in its entirety, without distinction, regardless of ethnic, political or other affiliations, and to refrain from taking sides in this or any other intercommunal conflict.

- Provide humanitarian assistance to the large number of people displaced by the conflict.
- Continue actively to seek measures to resolve this conflict and to reconcile the different communities affected to ensure that people are able to return to their homes safely.
- Ensure that any commissions of inquiry set up to study this or other conflicts in Nigeria include a review of the role of the security forces in these conflicts.

### **To foreign governments**

- Issue a strong, public condemnation of the killings and destruction by the Nigerian military in Benue on October 22-24 2001. Ensure that any future instances of serious human rights violations by the Nigerian government are raised publicly, not only in private demarches. Remind the Nigerian Government of its obligations to prevent extrajudicial executions under international human rights law and in particular the treaties it has ratified, including the ICCPR.
- Insist that the Nigerian authorities carry out a prompt and independent investigation into the killings and destruction, leading to the swift prosecution of those responsible for ordering the operation and perpetrating these abuses.
- Urge the Nigerian government and military authorities to refrain from any similar reprisal actions in the future or other forms of collective punishment directed at communities defined by ethnicity.
- Assist the Nigerian government in providing humanitarian assistance to the tens of thousands of people displaced by the conflict in Taraba and neighbouring states.
- Governments providing military training, weapons or other military equipment to the Nigerian security forces should link all such assistance to measurable progress in investigating and prosecuting those responsible for the killings and destruction in Benue in 2001, as well as those responsible for the killings and destruction in Odi, in Bayelsa state, in 1999. These will be two critical steps in proving the Nigerian government's commitment to ending the impunity which still protects the military.
- Governments such as the U.S. and the U.K. which have been strengthening their relations with Nigeria should use this framework of cooperation as an opportunity to persuade the Nigerian government to respect human rights and redress violations whenever they occur.

### **III. EXTRAJUDICIAL EXECUTIONS AND DESTRUCTION BY THE MILITARY**

The military operation in which more than two hundred people were killed in various locations in Benue State in October 2001 took place within the context of the broader, longstanding intercommunal conflict in the area. In a sense, it can be seen as the culmination of a series of attacks and counter-attacks by Tiv and Jukun armed groups, primarily in Taraba State and the areas around the Taraba-Benue border (see Section V below).

Against the backdrop of this conflict, the specific incident which provoked the violent response of the military in October was the abduction and killing of nineteen soldiers two weeks earlier. The soldiers, according to government authorities, were on a mission to restore peace in the area affected by the conflict between Tivs and Jukuns, when they were abducted by a Tiv armed group in Vaase, in Benue State, on October 10. Their mutilated bodies were found two days later, on October 12, in the grounds of a primary school in the town of Zaki-Biam, also in Benue.

The exact circumstances of the attack on the soldiers and the motivation behind it remain unclear. The Nigerian government announced the names and ranks of the dead soldiers, which were published in the media.<sup>3</sup> However, many Tiv sources cast doubt on the identity of the victims and questioned whether all nineteen were really soldiers. They believe that at least some of them were probably armed Jukuns, operating alongside Nigerian army soldiers. As evidence, they pointed to the fact that, while dressed in military uniforms, the victims had been travelling in private pick-up trucks, not military vehicles, and that some of their weapons did not bear official Nigerian army registration numbers.<sup>4</sup> Some sources also allege that the real number of those abducted and killed was higher than nineteen, and may have been closer to thirty. Even initial statements issued by government authorities immediately after the incident were contradictory as to the number of soldiers killed; for example, the number initially cited in many media reports was sixteen. Human Rights Watch was not able to confirm independently the identity or number of the soldiers who died. There is also some confusion as to the purpose of these soldiers' deployment in the area. Federal government and military authorities have asserted that they were on a peacekeeping mission.

Less than two weeks after the discovery of the bodies of the nineteen soldiers, a large number of soldiers arrived in several towns and villages in Benue, between October 19 and 24, in a carefully coordinated operation designed to take local residents by surprise. Several survivors and witnesses told Human Rights Watch that they felt tricked and deceived: they initially believed the soldiers were coming to protect them, especially as they pretended that they had come to discuss peace. Instead, the soldiers turned against them.

The soldiers, who were from the 23<sup>rd</sup> armored brigade of the 3<sup>d</sup> armored division of the Nigerian army, normally based in Yola, the capital of Adamawa state,<sup>5</sup> targeted more than seven towns and villages in Benue, including Gbeji (and surrounding villages), Zaki-Biam, Tse-Adoor, Vaase, Sankera, Anyiin, and Kyado. Between October 22 and 24, they proceeded systematically from one to the other, killing, destroying, and pillaging as they went. On October 22, the soldiers attacked Gbeji, Vaase, and Anyiin; on October 23, they moved into Zaki-Biam, Tse-Adoor, Sankera, and Kyado, returning to Zaki-Biam, Tse-Adoor, and Kyado on October 24. Witnesses estimated that there were between two and three hundred soldiers, with several armored tanks and other military vehicles. As word of their advance spread, residents of some locations were able to flee before the soldiers arrived. In this way, some escaped death or injury, but the soldiers who arrived to find these sites deserted were able to destroy and loot freely, without any hindrance. This was the case in Anyiin, for example, where there was widespread destruction of homes and buildings, but no one was killed. Most of the victims in the other locations were killed on October 22 and 23.

There is little doubt that this operation was organised as a retaliation and a form of collective punishment for the murder of the nineteen soldiers, as illustrated by comments made by some of the soldiers to local residents in the towns and villages they targeted: several witnesses interviewed by Human Rights Watch stated that the soldiers had accused them collectively of having killed their colleagues and made other comments implying that the Tiv, as a people, had brought the trouble on themselves.

### **The Massacre of Gbeji and Surrounding Villages**

Among the various towns and villages targeted in the military operation in Benue, the largest number of people were killed in the village of Gbeji. This was one of the first places targeted by the army and the population was taken completely off guard. Between 150 and 160 people were killed there, including at least four women

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<sup>3</sup> See, for example, "As army buries 19 slain soldiers..." in the Lagos-based *This Day*, October 23, 2001.

<sup>4</sup> Human Rights Watch interviews in Benue, December 2001. Local sources stated that it is sometimes difficult to distinguish real soldiers from Jukun fighters, as the latter often wear military uniforms and use similar weapons. There have also been reports of soldiers fighting alongside Jukuns during some attacks, particularly in Taraba State – see Section V below.

<sup>5</sup> Adamawa State borders Taraba State to the east.

and eighteen children, some as young as twelve years old; among those missing were children as young as five and seven. Some of the victims' bodies were reportedly so badly burnt that they could not be identified.<sup>6</sup>

Human Rights Watch visited Gbeji in December 2001 and spoke to survivors and witnesses there; we also visited the sites of several mass graves where residents of Gbeji had buried their dead. In Makurdi, the capital of Benue State, Human Rights Watch also interviewed some of the victims from Gbeji who had been severely injured and were still being treated in the Federal Medical Centre.

The soldiers first arrived in Gbeji on October 19. They asked residents on which day the market was usually held, then went away. They returned on October 22. They gathered the residents of the town, asking as many people as possible to assemble for a meeting. They told them they had come on a peace mission and wanted to discuss ways of restoring peace in the area. The residents gathered, believing it was a genuine initiative. Once a sufficient number of people had come together, the soldiers separated the men from the women and children. They then opened fire on the unarmed men, shooting indiscriminately. After shooting them, they poured petrol over them and set them alight. Some of the victims died from the shooting, others from being burnt alive. The soldiers then went on a rampage, destroying houses and other buildings.

A twenty-eight-year-old man who was hospitalised with serious injuries described the sequence of events:<sup>7</sup>

On Saturday, at about 2 p.m., soldiers came and gathered us together. They asked us to dismantle the roadblocks<sup>8</sup> and said we should make peace and settle. We agreed to make peace. They asked us when is market day. We said Thursday. But they came back on Monday instead. On Monday, they gathered people in the market. They said they didn't want to see women or children. The women and children went away. About thirty minutes later, they started killing people. There were more than three hundred people gathered. They were all men, apart from two women [...] The soldiers said we had killed soldiers, that was why they were killing us. They started shooting from the main road. At first they were shooting and moving around, from 1p.m. to 4 p.m. About three vehicles went to another village. They said no one should move. We lay down. They came and checked to see if people were still alive. If you started shaking, they would shoot you. They put fuel over us [...] I have burns on my knees. I was the last person to be shot. They burned me before shooting me, but most others were shot before they were burnt. As we were trying to escape, vehicles came after us. I was taken into the bush, then I was in the clinic for three days, then I came here to the hospital.

A woman with a seven-month-old child was shot in Gbeji. They removed the child before killing her. They also killed my brother; he was twenty-five. He was burnt in front of me, I saw it. The same day, my uncle, who is about ninety years old, was shot dead in his house in the village of Tse Sanmo, near Gbeji; they also burned his house. In another house across the road, they killed about eleven adult men. This happened around the same time as they gathered us in the market. My own house was among those burnt.

Among the patients in hospital in Makurdi was a man in his thirties who sustained what must have been some of the worst injuries among the survivors: his entire body had been burnt, including his face. In view of the gravity of his condition, Human Rights Watch researchers did not feel it was appropriate to interview him when they visited the hospital. However, he had previously provided his testimony to others:

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<sup>6</sup> Information collected from local sources in Gbeji, including a list of 150 killed and fifteen missing compiled by Shima Ayati, Special Assistant to the Governor of Benue State and Chairman of the Tiv Taraba Crisis Relief Management and Rehabilitation Committee.

<sup>7</sup> Human Rights Watch interview, Federal Medical Centre, Makurdi, December 14, 2001.

The testimonies quoted in this report are from personal interviews carried out by Human Rights Watch and/or Human Rights Monitor, unless otherwise indicated. Some were conducted in English, while others were translated from Tiv. The identity of those who testified is withheld for their own protection.

<sup>8</sup> The tension in the area and the frequency of attacks by armed groups had led residents of some areas to set up roadblocks.

I was not shot, but fell on the ground and those who were shot fell on me and there was blood all over me but I was conscious and was watching all that was going on. The commander then ordered for the sprayer which was used to spray petrol over the heap of the shot people and then set ablaze. There was fire all over me, but I was not hit by a bullet. I could not move. I had to choose between the fire and gun shots [...]<sup>9</sup>

Others also escaped narrowly. A fifteen-year-old boy watched as his father was shot. He was also injured, but survived: “When they opened fire, I saw my father hit at the forehead, then a bullet hit me. I thought I was dead, then I saw them pour petrol on the people. The petrol finished near me and they went to refill. It was when they went for refilling of the petrol that I ran away. I lost my father, uncle, and four cousins.”<sup>10</sup>

A boy aged about nine was also among those injured in Gbeji. His arm had been blown off and he was also injured on his leg and side. He told Human Rights Watch:<sup>11</sup>

The soldiers came on Monday. They gathered people and sent the women and children away. One soldier called me and caught me. They made me join the men. I was shot here [pointing to his amputated arm, his leg and side]. I was going with the women but the soldier said I should come with the men. About four children were injured and brought to the hospital. Others died during the incident.

I was shot in the marketplace. Someone fell on top of me. The soldiers checked to see if I was dead, then shot me three times. Then they were burning people. I got up and ran into the bush. A soldier saw me and shot at me. I stayed in the bush as if I was dead. The soldiers came and saw me. They kicked me three times on the leg and foot to check if I was still alive. I pretended I was dead.

My oldest brother died. He is about forty years old. He was shot in the chest and in the head, together with others in the meeting.

Other survivors confirmed that the soldiers, not satisfied with shooting into the crowd and setting people on fire, then checked whether those lying among the corpses were really dead. An eighteen-year-old boy pretended he had been hit when the soldiers opened fire. He managed to roll away on the ground when the soldiers set fire to the people. “Then one of the soldiers pointed at me and said: ‘This one is not dead, let me not waste my bullet, but slaughter him with a knife.’ He then pulled his knife and started cutting my neck. I was still and he thought I was dead, and left me when the whistle blew.”<sup>12</sup>

A forty-year-old farmer in Gbeji gave his own account of what happened from the time of the soldiers’ first arrival:<sup>13</sup>

On 19 October, the army arrived here. They called on us to assemble. They said they were on a peacekeeping mission. They told us to invite all members of the town to be present on market day, which is Thursday. They didn’t come on Thursday but they came on Monday 22 October, at about 2 p.m. They said again that they had come for peacekeeping. They advised us to invite everyone for a meeting. They had four armored cars and nine trucks. There were more than three hundred soldiers [...] The soldiers had armored tanks stationed in three places blocking the area to prevent escape.

We assembled at the motor-park at about 3 p.m. Most of the community were there.

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<sup>9</sup> See “The Story of Gbeji massacre, 22<sup>nd</sup> October, 2001,” compiled by Shima Ayati, Chairman of the Tiv Taraba Crisis Relief Management and Rehabilitation Committee.

<sup>10</sup> Ibid.

<sup>11</sup> Human Rights Watch interview, Federal Medical Centre, Makurdi, December 14, 2001.

<sup>12</sup> See “The Story of Gbeji massacre, 22<sup>nd</sup> October, 2001”, compiled by Shima Ayati, Chairman of the Tiv Taraba Crisis Relief Management and Rehabilitation Committee.

<sup>13</sup> Human Rights Watch interview, Gbeji, December 14, 2001.

Then the commander just said: “Fire!” and the soldiers opened fire. They had separated the women and the children but some women were killed. They were targeting everyone. After shooting, they poured fuel and set fire. Some people were set on fire alive before they were shot. Some were cut on their necks with knives [...] The shooting lasted from 3 p.m. to 6.45 p.m. At about 7 p.m. some people came out from the bush to see the damage. The next day we took the bodies away for burial and made mass graves.

A twenty-six-year-old man who was injured told a similar story:<sup>14</sup>

First they came and asked us when is market day. Then they came back on Monday. They came in eight vehicles. There was one armored car and another in the market. There were more than two hundred soldiers. They called people together. They gathered us in the motor-park and said they wanted a meeting. They sat people down. They made the women go to one side. They said: ‘Sit down, we’ll call our commander.’ Instead, they went to fetch more soldiers. Then they came back with the other soldiers. One of them gave a signal, he raised his hand, then they started shooting at us indiscriminately. After shooting, they started burning people.

I was lying on the ground. I was injured on my legs, my side, my arms, and my back. I was caught in the shooting. Some people fell down. I lay among the bodies; some were dead, others were still alive. Then the soldiers poured kerosene over us to burn us. That’s when I sustained my injuries: some are burns, others are from the shooting. A soldier dropped a spent cartridge on me. I stayed still to deceive them, pretending I was dead. Then I escaped.

I got caught up in this just by chance. I was on my way to Gbeji. I am from the village of Mgbakpa Yamsa, about ten kilometers from Gbeji.

His own village of Mgbakpa Yamsa was itself attacked immediately afterwards. As soon as they were alerted to what had happened in Gbeji, the inhabitants of the village started running away. However, one man, Anjo Yamsa, in his late thirties, was not able to escape. The soldiers caught him while he was trying to run away and shot him. He called for help but no one dared to come out to try to save him. He was shot in the stomach, in the chest and in the legs, and slashed with a cutlass on his head and fingers. He was the only resident of the village to die, but at least one other, Tor Yamsa, a student in his twenties, was injured. The soldiers also burned many houses and property, including sixteen houses of members of just one family, related to Anjo Yamsa. A resident also described how the soldiers made a pile of clothes and mattresses, poured kerosene over it and left it to burn.<sup>15</sup>

Soldiers also attacked the village of Tse-Gube, very close to Gbeji, at around the same time. Local residents described how the soldiers were deployed all along the road and said the commander was communicating with his soldiers by radio. As in Gbeji, the residents of Tse-Gube were made to gather for a meeting; then the soldiers shot at them. Six men were killed. Two months later, two thirds of the population of Tse-Gube were reported to be still living in the bush, out of fear of returning to their village.<sup>16</sup>

### **Vaase**

The military also exacted a brutal revenge on the village of Vaase, where the nineteen soldiers had been abducted. When representatives of several Nigerian human rights organizations, under the umbrella of the Transition Monitoring Group (TMG), visited Vaase on October 31, they described it as a ghost town: it was completely deserted, and its entire population had fled into the bush. When Human Rights Watch visited in mid-December, there were still very few people there. Most of the town lay empty; many buildings had been destroyed. Soldiers were still posted nearby, keeping watch.

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<sup>14</sup> Human Rights Watch interview, Federal Medical Centre, Makurdi, December 13, 2001.

<sup>15</sup> Human Rights Watch interview, Makurdi, December 13, 2001.

<sup>16</sup> Human Rights Watch interviews in Gbeji and Tse-Gube, December 14, 2001.

Several young men who had been present when the soldiers came to Vaase told Human Rights Watch:<sup>17</sup>

On Monday 22 October the soldiers killed seventeen people here: fifteen men and two women. They sent some boys to fetch us to hear what they had to say. The soldiers asked us: “Who killed the soldiers?” We said we didn’t know. They told us to make a line. People lined up. They made us take our shirts off and tied them over our eyes. Then the commander blew a whistle and the soldiers starting shooting. They left some of the bodies on the road. Some people were carried away alive by the soldiers as they left. They also burned houses. A woman in her twenties was burnt inside her house. Another woman in her thirties, a mother of two, was carried away alive. We don’t know what happened to her.

### **Kyado**

The sequence of events in Kyado was different from other towns and villages. It was perhaps the most revealing in terms of the organization of the military operation, and contrasts between the behavior of military units from Benue and those brought in from neighboring states.<sup>18</sup> According to residents of Kyado, it was thanks to the intervention of soldiers from Benue that no one was killed in Kyado, although several people were injured, and soldiers destroyed many houses, shops, and other buildings. Residents of Kyado told Human Rights Watch how soldiers from Yola first arrived on October 19, rounded up the men, threatened them and beat some of them, and burned a number of houses. On October 23 and 24, they returned, and destroyed and burned an even greater number of houses and buildings. However, in the meantime, soldiers from Benue had intervened and managed to prevent the soldiers from Yola from killing residents of Kyado, in part by negotiation, and in part by warning the population of Kyado of a likely onslaught by the soldiers from Yola, with the result that many residents were able to leave the town in time.

A man whose house in Kyado was destroyed by the soldiers explained to Human Rights Watch:<sup>19</sup>

On Friday [...] the troops from Yola came. They stopped in my store [...] They asked me: “How many kilometers to Zaki-Biam?” I said: “13 kilometers.” They asked me who was the elder of the town so that they could talk to the people. They asked me to take them to his house. On the way, they asked me: “On which day did they dismount the roadblock here?” I said I didn’t know. They asked for the weapons seized from the soldiers earlier. I said I didn’t know where they were. The elder was not in; only his brother was there and he said he didn’t know anything. The soldiers said: “In the next thirty minutes, you must produce the youth leader and the weapons seized, otherwise we will do what we want with you.”

They gathered about a hundred men and lined us up in the main road. They made us lie down facing the sun. They beat us and kicked us. My brother was injured. They stood on my stomach and one soldier put a gun on my chest and told me to say my last prayers [...]

About ten minutes later, soldiers came from Zaki-Biam. The military leaders had a brief meeting. The commander from Yola ordered his men to reverse. The commander from Makurdi gathered us and said: “We don’t have much to say. Thank your God I was here at this time.” He told us to forgive the soldiers and eat plenty. The soldiers [from Yola] burned twenty-four huts then left.

On Tuesday 23, on their way back through Zaki-Biam, they burned about thirty-five more houses in Kyado.

On Wednesday 24 the soldiers from Makurdi came again and told us that no one should stay, that we should leave town and take our property as they would do the worst damage. On the way back from

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<sup>17</sup> Human Rights Watch interviews in Vaase, December 14, 2001.

<sup>18</sup> As mentioned above, the soldiers who carried out the killings and destruction in Benue were from Yola, in Adamawa State. However, they were often referred to as being from Taraba, because they entered Benue through Taraba, and there were rumors that they had been deployed with the approval or at least the knowledge of state authorities in Taraba.

<sup>19</sup> Human Rights Watch interview in Kyado, December 16, 2001.

Zaki-Biam, the soldiers [from Yola] again destroyed and burned most of the houses. They stayed several hours.

Another man, whose house was destroyed in Kyado and whose brother was among those beaten on October 19, reported that when the soldiers from Yola arrived, they asked how far it was to Zaki-Biam, and how far to Victor Malu's house, and warned the population "that it would be like Odi."<sup>20</sup>

### **Anyiin**

The town of Anyiin was among those where soldiers destroyed many buildings but did not kill anybody, as most people had already fled by the time the soldiers arrived. Residents of Anyiin told Human Rights Watch that the soldiers arrived on October 22, in the afternoon, and stayed until about 8 p.m; the operation lasted more than three hours. One man counted three armored vehicles and eleven other military vehicles. A local police official said he was made to watch while soldiers burnt a vehicle; they reportedly told him that if he tried to stop them, they would shoot him. Another man watched as one of the soldiers stopped in front of a car and shot at it until it had burnt. Yet another described how some soldiers burned and shot at houses while others broke down doors with axes. They made piles of belongings which they found in the houses and set them on fire. They also looted and shot into the air to prevent anyone from approaching. A resident of Anyiin told Human Rights Watch: "We never expected anything like this to happen. We had no problems with anyone."<sup>21</sup>

### **The Attack on Zaki-Biam**

The town of Zaki-Biam, situated about forty-five kilometers from the Taraba border, was the worst hit location after Gbeji in terms of civilian casualties of the military operation; this was where the bodies of the nineteen soldiers had been found. Between twenty and thirty people, and possibly more, were killed in Zaki-Biam. The operation began on October 23 and continued on October 24. On the morning of October 23, soldiers surrounded the yam market, which is one of Nigeria's largest. When people began to panic, the soldiers started shooting. Most of the victims were shot dead in and around the yam market. Those killed included several market traders, including victims named to Human Rights Watch as Awua Gesa and Peter Swande, and farmers, including Aondohemba Amoh and Abaver Kumaga. The soldiers also engaged in widespread destruction of homes, shops, and other buildings, including parts of the market and even the police station. Shops belonging to Igbo traders-who have played no part at all in the conflict in the area-were also burnt and looted indiscriminately. At least two Igbo traders, including Joseph Uche, were among those killed.

An eye-witness described what he heard and saw at the yam market in Zaki-Biam:<sup>22</sup>

The soldiers came at about 9 a.m. I was at the farm. I heard people shouting: "They've come!" I saw soldiers all around the market. We stood on the hill watching. The commander was calling people to come for peacekeeping. But people had heard what the army had done in Gbeji so they started running away. The soldiers started shooting. They killed about nineteen people, inside the market and on the road outside. Others were shot while they were running. I saw two vehicles, 4x4 Taraba State vehicles. There were so many soldiers. Some were patrolling. At least one hundred went into the market while others stayed on the road. The soldiers were singing, shouting, jubilating. After the shooting, they looted yams and motorcycles and burned sheds.

The soldiers slept here that night. We heard shooting in the night until about 4.30 a.m. The next day, we were still around. At 9.15 a.m. they started burning houses and buildings, until about 3 p.m.

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<sup>20</sup> Human Rights Watch interview in Abuja, December 20, 2001.

Victor Malu is the former chief of staff of the Nigerian army. His home in the village of Tse-Adoor, near Zaki-Biam, was targeted and destroyed by soldiers on October 23 and 24 (see section on Tse-Adoor, below).

<sup>21</sup> Human Rights Watch interviews in Anyiin and Makurdi, December, 2001.

<sup>22</sup> Human Rights Watch interview in Zaki-Biam, December 16, 2001.

Among those who died, some were killed by flying bullets, others may have died in the bush. There are also about twenty people still missing [...] By the time relatives came to pick up the bodies later, some were rotting and were being eaten by vultures.

Another man in the yam market gave this account:<sup>23</sup>

There were thirty-four vehicles in total, including about eight armored tanks. They [the soldiers] parked the first vehicle at the entrance to the market, the other at the extreme end. Then they jumped down and surrounded us [...] We have never witnessed this before. They killed about eighteen people inside the market and about six outside. After a week, we discovered about three bodies in the bush. Those who were killed included several market traders, farmers, a former councilor, and a pastor. [...]

Every vehicle was full of soldiers, maybe up to two hundred altogether. The cars had the lights full on. The soldiers didn't say anything. They just shot. They were arresting groups of people and killing them. They started at 9 a.m. and didn't stop until about 4 p.m. At 6 p.m. they came back again. They were destroying and shooting all night, I don't know until what time.

The next day they came to the main market. They destroyed many houses there. The majority belong to Igbos, not indigenes. One Igbo man refused to leave his house in town so they killed him. They were burning property and spraying houses. They even burned the police station.

Later we discovered body parts which had been burnt. They were not identifiable.

Among the victims in Zaki-Biam were about ten people who were travelling in a bus near the yam market. The soldiers ordered the vehicle to stop and told the passengers to get out. Witnesses reported that the soldiers initially said they were stopping the vehicle for a routine check. Then they asked whether there were any non-Tivs among the passengers. The passengers said no. The soldiers separated the female passengers from the men, ordered the men to lie down, then started shooting at them. Among the victims was Ityokar Anbu Wende, a forty-year-old father of eight and a former councilor, who was accompanying his thirteen-year-old daughter back from school. The soldiers spared the daughter, but killed her father in front of her. He was the first passenger they shot because he was questioning their actions and asked why they were being asked to lie down. He was killed with at least ten bullets in the head and shoulder. The victims also included a Protestant pastor, Reverend Andrew Alu, who pleaded with the soldiers to let him pray. The soldiers said they would spare him because he was a priest, but shot him dead anyway. The driver of the vehicle, Moove Ityom, was also killed.<sup>24</sup>

The soldiers resumed their destruction in Zaki-Biam on October 24. One of the first houses they targeted on that day was that of Benjamin Chaha, a former speaker of the House of Representatives in the National Assembly in the Second Republic. The destruction in his compound was extensive. It seems likely that his house was specifically targeted because he is a prominent local person. However, in other parts of the town, houses and other buildings were destroyed indiscriminately.

### **Tse-Adoor**

The military clearly targeted the village of Tse-Adoor, on the outskirts of Zaki-Biam, home of Victor Malu, the former chief of staff of the Nigerian army. In the compound belonging to Victor Malu's family, and the neighboring compound, they killed five people and destroyed many buildings, including Victor Malu's own house and that of his father, as well as several thatched huts, guesthouses, and a barn for storing crops. The military operation in Tse-Adoor took place over two days, on October 23 and 24. The soldiers destroyed and looted extensively on both days, but the five people confirmed dead were killed on the first day, on October 23. In the main compound, the soldiers killed Pev Adoor (Victor Malu's uncle in his eighties, who was blind) and his two

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<sup>23</sup> Human Rights Watch interview in Zaki-Biam, December 19, 2001.

<sup>24</sup> Human Rights Watch interviews in Zaki-Biam, Makurdi and Abuja, December 2001, and amateur video filmed in the immediate aftermath of the killings in Zaki-Biam by a researcher of Mzough U Tiv (United Tiv organization).

wives, Kutser Pev, in her fifties, and Rebecca Doom Pev, in her sixties, who tried to hide in a thatched hut: she closed the door behind her but the soldiers fired through the door and shot her. In the neighboring compound, they shot at a group of people who had gathered for a burial. Mmeran Tyobo, an elderly man aged about ninety, died on the spot; Mathias Butu, in his twenties, was shot in the leg and died a few days later. On October 24, the soldiers returned to continue destroying and looting, after all the residents had fled.<sup>25</sup>

A relative of Victor Malu, who lives on the compound but was outside when the military headed towards it, described what he saw:<sup>26</sup>

On 23 October, the military arrived at 12.10. I was in Zaki-Biam. There I saw two armored tanks with their headlights on, followed by two trucks and about forty soldiers, followed by another armored tank. I decided to come back home. [...] At the primary school near Tse-Adoor I saw three armored vehicles enter our compound. The soldiers were shooting at random. I drove onto the bush road and stayed in the bush watching. They were shooting and burning houses. They used armored tanks to level the place. They were using three armored tanks simultaneously, for about one hour. They gathered women and children and beat them. They made them lie on the ground outside, including our one hundred-year-old mother. They particularly beat those women and children who were hesitating. They kicked them and hit them with guns [...] No one knew why they were there. They beat my younger brother and asked him who was here [...] Then they left for Zaki-Biam.

The first attack took us completely unaware. Most of the men were out farming, so it was mainly women who were in the compound. They were cooking, wearing just wrappers. The soldiers didn't allow them to take anything out of the houses. They entered every room and checked. They took all their belongings out and burned them. They took any money they could find [...]The next day, they came back at about 8.30 a.m. They stayed for about three hours. They came to loot and were shooting at all the houses.

### **Sankera**

In Sankera, on October 23, two young men were killed on the main road: Merve Beramo, aged twenty, who was returning from the farm and was shot at the primary school, and Luther Jima, aged twenty-three. A four-year-old boy, Tersen Tordue, who had been traveling with Luther Jima on a motorcycle, was injured. Soldiers also engaged in extensive destruction, including in the parish compound, where they spent about half an hour. From there, they moved to the newly-constructed local government building, where they burned the whole of the inside of the building and looted office equipment and vehicles, as well as a large sum of money belonging to the local government; they also burned the house of the local government chairman, the local government guesthouse, and more than fifty other houses. In addition, they burned a large stockpile of food in a warehouse, which had been intended to assist the large population of internally displaced people fleeing conflict in Taraba State.

## **IV. HUMAN RIGHTS VIOLATIONS BY THE MILITARY IN BENUE SINCE OCTOBER 2001: RAPE, ILL-TREATMENT, AND HARASSMENT**

When Human Rights Watch visited Benue in mid December 2001, there was still a heavy military presence, especially around the town of Katsina-Ala, in eastern Benue State.<sup>27</sup>

In the aftermath of the killings and destruction of October 22 to 24, Human Rights Watch received reports of other human rights violations by soldiers stationed in the area, including several cases of rape of women and young girls, and persistent ill-treatment, harassment, extortion, and looting. Many of these abuses appeared to be carried out with the sole purpose of humiliating and intimidating the victims, as well as the broader population of

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<sup>25</sup> Human Rights Watch interviews in Tse-Adoor, December 16, 2001.

<sup>26</sup> Human Rights Watch interview in Tse-Adoor, December 16, 2001.

<sup>27</sup> The soldiers in Katsina-Ala are from units stationed in Benue State. However, there had not been any military presence there before the events of October 2001.

the area. Victims and witnesses reported that while carrying out these abuses, soldiers would often insult them on the basis of their ethnicity.<sup>28</sup>

Immediately after the military operation of October 22-24, soldiers set up a base in Katsina-Ala. Initially they took over many buildings in the town, including the central church which was being used to house internally displaced people who had to be moved out to make way for the soldiers. In November, the soldiers moved out of the church and set up tents in fields belonging to a college. For a while, until the end of November, the soldiers also took over the office of the road transport union; they were reported to be extorting money from drivers of vehicles and beating transport workers, with the result that drivers became afraid to pass through Katsina-Ala. Numerous military roadblocks were set up in and around Katsina-Ala and were still in place in January.

At the end of October and in November, soldiers committed a number of rapes of women and young girls that were reported to Human Rights Watch. While many of the victims were too afraid to report the rapes to the police, particularly while the soldiers were still in the area, a number of cases were independently confirmed by a variety of local sources. For example two sisters, aged sixteen and thirteen, were raped by soldiers on the night of November 9. At about 2 a.m., soldiers burst into their house in Katsina-Ala. The two girls were sleeping in the same room. Two of the soldiers went inside, while the others stood guard outside, singing. The soldiers threatened to kill the girls if they refused to have sex with them. They told the girls that they had killed “Mama Tiv” (a reference to Victor Malu’s elderly aunt, see above), therefore they could easily also kill them or any other Tiv woman. One of the two soldiers took the younger sister out of the house and dragged her to a market nearby. There he tried to rape her; she begged him not to and offered him the little money she had on her. The soldier took the money and raped her anyway. Meanwhile the other soldier had stayed in the house with the older sister. He told her to remove her clothes. When she tried to resist, he slapped her and kicked her, then raped her inside the house. A brother who was in the next room tried to intervene; the soldier made him lie down on the floor with his wife, kicked him and hit him with his gun, injuring him on his arm and chest. The soldiers left after about forty-five minutes.<sup>29</sup>

Several local sources reported that a young woman, aged about twenty, was raped by seven soldiers in Katsina-Ala, on November 3. The woman was travelling on a motorcycle. The soldiers stopped the motorcycle, told the driver to leave, and took the woman away to a building near a roadblock, where seven of them raped her. They then pleaded with her not to report the rape and reportedly even offered her money.<sup>30</sup>

Local residents reported that in November, some soldiers who were stopping people at checkpoints around Katsina-Ala had told some of the men to leave and had abducted the women traveling with them and sexually abused them. There were allegations that some of them were being kept by the soldiers in their camps.

While the majority of rape cases reported to Human Rights Watch took place between the end of October and the end of November, other forms of abuse by the military continued into December. The most common complaints by residents were of systematic extortion and harassment, especially at roadblocks, and looting. Soldiers regularly plundered farms which had been abandoned by frightened farmers, harvesting the crops and selling the produce. A source in Makurdi reported that in mid-November, more than fifteen military trucks were seen passing through the town carrying yams and other goods, and that soldiers in Abako town were harassing farmers and preventing them from returning to their fields to harvest their crops.<sup>31</sup> In mid-December, there was still a military presence at Vaase, despite the fact that the village was almost empty. Local residents complained that the soldiers were harassing the few people who were still there, harvesting their crops and stealing machinery and vehicles. Residents of Gbeji also complained of looting and extortion by soldiers. One man told Human Rights Watch that soldiers had come on four consecutive days in mid-November and asked the residents of Gbeji to give them yams or money. “They said that if we didn’t give them what they wanted, they would not cooperate

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<sup>28</sup> Human Rights Watch interviews in Katsina-Ala and other locations in Benue, December 2001.

<sup>29</sup> Human Rights Monitor interview in Katsina-Ala, December 17, 2001.

<sup>30</sup> Human Rights Watch telephone interview, November 16, 2001 and interview in Abuja, December 21, 2001.

<sup>31</sup> Human Rights Watch telephone interview, November 16, 2001.

with us. People were afraid, so we ran into the bush to hide [...] Soldiers are still taking our yams and beating people.”<sup>32</sup>

In Katsina-Ala, soldiers forced their way into the house of an ex-serviceman who had been operating “local collections”-a kind of informal banking system-and took all the money he had been storing and other belongings. Another man in Katsina-Ala told how soldiers had forced their way into his house during the night of November 9 and robbed him of money and personal belongings, at gunpoint, threatening to kill him if he did not hand over his money. After taking the money he had on him, they said he must have more and asked where his earnings of the previous day were. He said they were with his mother. At gunpoint, he was made to lead them to his mother, where they took all the remaining money. They threatened to come back and kill him if he reported the incident to anybody. However, he did report it to a soldier who was from his own area of origin; the matter was raised with the commander and some of his stolen property was found in the possession of the soldiers.<sup>33</sup>

Residents of the area reported systematic harassment at military checkpoints, including extortion of money and other belongings. Soldiers would stop and search both men and women passing through and demand part or all of what they carried on them. They regularly seized goods from women traveling to and from the market. A group of men who had just arrived in Makurdi from Taraba State, following an attack the previous week by Jukuns and Fulanis in their home area in Bali local government area, said: “We were harassed along the road by soldiers. There were nine roadblocks where the soldiers extorted money. They said: “Give us your money because you killed our soldiers.” They insulted us and threatened to beat us. One young man was beaten because he had no money. He was beaten three times with sticks on his back. Each man had to give 200 naira, each woman 100.”<sup>34</sup>

There have been numerous cases of ill-treatment and humiliation by soldiers. For example, a man traveling to Katsina-Ala witnessed soldiers humiliating a woman after overhearing a comment she had made implying that soldiers were taking bribes. He described how they ordered her to strip completely and made people look at her while she stood there naked, for about one hour. Men, especially those who tried to challenge the soldiers, were often beaten and forced to do frog-jumps and other “exercises” at the checkpoints. A man in Zaki-Biam told how his brother had been harassed by soldiers at the Benue-Taraba border: the soldiers stripped him and took his belongings. Some activities were suspended for several weeks from the end of October: a man in Gbeji said the market had remained closed, while a man in Kyado said many people had not attended church for at least three weeks, because of fear of harassment by the military.<sup>35</sup>

A woman from Katsina-Ala, who had witnessed many cases of harassment at military roadblocks, told Human Rights Watch.<sup>36</sup>

Soldiers are taking yams and firewood by force. They extort money. If you protest, they beat you. One day I saw a motorbike rider, a man in his thirties, who had been stripped and beaten by the soldiers. They made him lie on his back and look at the sun with open eyes. His back was peeling from the hot tar. They made him stay there for one hour. They beat him with their gun butts and kicked him. It was in the middle of town, in early November.

They do the same thing to refugees coming from Taraba. Some of them have injuries from being beaten at roadblocks. The military insult them, they say: “You’re Tiv, we will destroy you.”

[...] On November 17, the vehicle I was travelling in was stopped at a roadblock. The driver hadn’t seen the roadblock. The soldiers shouted at him. The driver stopped and explained he hadn’t seen them. The

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<sup>32</sup> Human Rights Watch interview in Gbeji, December 14, 2001.

<sup>33</sup> Human Rights Monitor interviews in Katsina-Ala, December 17, 2001.

<sup>34</sup> Human Rights Watch interview in Makurdi, December 13, 2001.

<sup>35</sup> Human Rights Watch interviews in various locations in Benue, December 2001.

<sup>36</sup> Human Rights Watch interview in Abuja, December 21, 2001.

soldiers made all the men in the vehicle get out and line up. I was so afraid because it reminded me of what had happened in Zaki-Biam and other places. I got out and intervened. I said to the soldiers they should leave the men alone and they should kill me instead. In the end, none of them were killed and we all got away.

There were also reports of further shootings by soldiers, some of them fatal, since the end of October. Human Rights Watch was not able to confirm all of these, but received similar information from different sources, in different locations. In the first few days of November, several cases of shootings by soldiers were reported in towns and villages on the Taraba-Benue border. Five people were reported to have been killed on November 2 in Jootar, Abako, and Tseakhir; two of them were shot dead while they were holding the funeral of a victim of an earlier attack.<sup>37</sup> More recently, residents of Gbeji reported that a twenty-seven-year-old man was shot and injured by soldiers in the bush in mid-December.<sup>38</sup>

## V. INCREASE IN VIOLENCE IN TARABA STATE

During its December 2001 visit to Benue, and a brief visit to Wukari, in Taraba State, Human Rights Watch was informed about an alarming increase in violence between Tivs and Jukuns in Taraba in the weeks preceding the military operation in Benue. Some of the violence took place around the Taraba-Benue border, leading many local residents (both Jukuns and Tivs) to describe the October 2001 events in Benue as a spill-over of the Taraba conflict. However, there were also numerous attacks in parts of Taraba which are further from the border, including the local government areas of Bali, Ibi, Donga, and Gassol. Human Rights Watch received detailed testimonies from displaced Tivs who had fled their homes in Taraba and had sought refuge in Benue, as well as from Jukuns in Wukari town.

The present report does not attempt to document the long-standing conflict in Taraba State, as a more detailed account would be necessary to do justice to the complexity and gravity of the situation. However, the information summarized below may provide some context for understanding the events which took place in Benue in October 2001.<sup>39</sup>

The conflict in the Taraba-Benue area, which has been going on for decades, is principally between the Tivs, on the one hand, and the Jukuns, on the other; in recent years, the Jukuns have formed a close alliance with the Fulanis.<sup>40</sup> The Jukuns form the majority in Taraba, while the Tivs form the majority in Benue. There are also sizeable Tiv minorities in Taraba, Nasarawa and Plateau states, and a small Jukun minority in Benue. The conflict in Taraba between Tivs and Jukuns has tended to center around competition for land, as well as control over economic resources and political power. Political battles have been especially intense around the control of Wukari, the traditional Jukun center in Taraba State. There have been disputes over the siting of the boundary between Benue and Taraba states, respect (or disrespect) for boundary demarcations, and political control of the border towns and villages. In broad terms, the Jukuns claim to be the original inhabitants of Taraba State, or “indigenes,” and consider the Tivs as settlers. The Tivs reject this view, on the basis that they too have been living there for several generations and therefore have equal rights; they complain of being marginalized and excluded in Taraba. Likewise, the Jukun minority in Benue also complain of marginalization, lack of employment opportunities, and insecurity.

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<sup>37</sup> Human Rights Watch telephone interview, November 6, 2001.

<sup>38</sup> Human Rights Watch interview in Gbeji, December 14, 2001.

<sup>39</sup> A useful analysis of the history and causes of the Tiv-Jukun conflict in Wukari can be found in Shedrack Gaya Best, Alamveabee Efhiraim Idyorough, and Zainab Bayero Shehu, “Communal conflicts and the possibilities of conflicts resolution in Nigeria: a case study of the Tiv-Jukun conflicts in Wukari local government area, Taraba state,” in Aonigu Otite and Isaac Olawale Albert (eds.), *Community conflicts in Nigeria: management, resolution and transformation* (Lagos: Academic Associates PeaceWorks, 1999).

<sup>40</sup> This has not always been the case. In previous years, the Fulanis have sometimes sided with the Tivs, particularly in the competition for political positions.

There has been periodic fighting between these groups since the late 1950s, with sporadic outbreaks in 1964, 1976, and again in 1990-1992. Over the years, the communities have found increasing difficulty in living together peaceably. Benue is often referred to as the Tiv state, and Taraba as that of the Jukuns. Political polarisation has gradually turned into physical segregation too: as violence has intensified in Taraba, an increasing number of Tivs have fled into Benue. Tivs have complained of persecution in Taraba and talk of a deliberate campaign of “ethnic cleansing,” primarily by the Jukuns, allied with the Fulanis, and now additionally backed up by the military. They have claimed that these operations are deliberately timed to ensure that the Jukuns have the political advantage in Taraba in the run-up to elections scheduled in 2003. In addition, the rivalries between Tivs and Jukuns have always had the potential to escalate into an even more serious conflict at the national level, as both groups are well represented in the national army.

The violence in Taraba intensified in the second half of 2001. Organized bands of Tivs, Jukuns, and Fulanis were responsible for scores of deaths of civilians and widespread destruction of homes during this period, with attacks taking place on a weekly, and sometimes a daily basis. From the first week of September 2001 onwards, in particular, there was a series of attacks and counter-attacks by Tiv and Jukun armed groups, including on border towns and villages. These continued into December 2001 and January 2002.

Human Rights Watch interviewed many people who had been displaced from various locations in Taraba; some had been living in camps in Benue for a few days or weeks, others were staying with relatives; others were just arriving. Many of them told Human Rights Watch that paramilitary Mobile Police and, in some cases, soldiers had participated in attacks by Jukuns and had been responsible for some of the killing and destruction in Tiv towns and villages. Government authorities have repeatedly denied that members of the security forces have participated in this conflict; however, testimonies received by Human Rights Watch on this point were remarkably consistent.<sup>41</sup>

Some of the worst killings in recent months took place in and around the village of Dooshima, in Ibi local government, in Taraba. Dooshima was attacked twice, first on October 1, then again on October 4. Many other villages in the area were also attacked in the following days. While Human Rights Watch has not been able to confirm independently all the details of the attack, local sources claim that at least one hundred people, and possibly more than 300, were killed in a combined attack by Jukuns, Fulanis, Mobile Police, and soldiers in Dooshima and neighbouring villages.<sup>42</sup> On October 13, the town of Dan-Anacha, in Gassol local government area, in Taraba, was attacked by Jukun militia and Mobile Police. Eye-witnesses described how the police, who had been deployed to protect the town, led the attack, while armed Jukun bands followed; they also said they witnessed Mobile Police taking part in shootings and destruction in several other towns and villages in the area.<sup>43</sup>

Attacks continued into December 2001. For example, on December 6, soldiers in the company of Jukun militia were reported to have opened fire on a group of people in Tor-Damsa, in Donga local government area, killing at least three people; the village had first been attacked by Jukun and Fulani armed groups on July 2, 2001. Suntai and the surrounding area, in Donga local government, was also the scene of some fierce fighting at the end of November and early December. Scores of people were reportedly killed there in attacks and counter-attacks by Tiv and Jukun armed groups; forty-three men and two women were reportedly killed in Suntai in a Tiv attack on December 6. On December 17, the Jukun village of Chinkai was attacked by a Tiv armed group; Human Rights Watch spoke to some of the people who had been wounded, the day after the attack.<sup>44</sup> At the time of writing, in February 2002, attacks and counter-attacks by Jukun and Tiv armed groups are reported to be continuing.

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<sup>41</sup> In previous years too, members of the security forces, particularly the Mobile Police, are reported to have taken part in the conflict in Taraba State. The Mobile Police are part of the national police force which, like the army, is a federal institution.

<sup>42</sup> Human Rights Watch interviews with people displaced from Dooshima, in Agasha camp for the internally displaced, December 15, 2001, and other sources in Makurdi. See also list of sixty-six villages attacked and list of 353 people killed or missing in “The story of Dooshima, Sarkin Gudu and Yamini massacre, 4<sup>th</sup> October-10<sup>th</sup> October, 2001,” compiled by Shima Ayati, Chairman of the Tiv-Taraba Crisis, Relief Management and Rehabilitation Committee.

<sup>43</sup> Human Rights Watch interviews in camp for the internally displaced at Sankera, Benue state, December 19, 2001.

<sup>44</sup> Human Rights Watch interviews in Wukari, December 18, 2001.

Separate from these types of attacks, soldiers in various locations in Taraba have been responsible for extrajudicial executions, arbitrary arrests, unlawful detention, and torture. For example in mid November, a retired Tiv serviceman, who was acting as a spokesman for local villagers, was shot dead by soldiers in Kashimbira local government in Taraba. He had introduced himself to the soldiers to assist them in obtaining local information; on request, he showed them his identity documents. The soldiers, seeing that he was a Tiv, accused him of training youths for attacks. Despite his denials, they killed him. Around the same period, soldiers also killed three youths, after detaining them and ill-treating them for two weeks in their barracks.<sup>45</sup>

There has also been violent conflict in Nasarawa state, which borders Benue to the west, between the Tivs and other ethnic groups, including an alliance of Jukuns, Fulanis, and Alagos. In 2001, the conflict reached alarming proportions, erupting in February 2001, then again at the end of March, and reaching a peak around June, when hundreds of people were killed and tens of thousands displaced. More than six months later, many of the Tiv who were displaced from Nasarawa are still living in Benue State, in camps with little or no facilities, and a persisting fear of returning to their homes because of the continuing insecurity there.<sup>46</sup> In recent months, they have been joined by thousands fleeing the renewed violence in Taraba. At the end of 2001, the situation of the internally displaced populations in Benue State reached a critical point. Conditions were very poor, even though humanitarian agencies were not prevented from assisting the displaced population. When Human Rights Watch visited the area in December, there were still families fleeing daily into Benue, each with their individual testimonies of horror and carnage.

## VI. THE GOVERNMENT'S RESPONSE TO EVENTS IN BENUE

One of the most shocking aspects of the events in Benue was the federal government's response, or lack of response, to the news that soldiers of the Nigerian army had massacred civilians and destroyed towns and villages. Senior government officials were quick to condemn the killing of the nineteen soldiers. President Obasanjo and Vice-President Atiku Abubakar made several public statements urging that no effort be spared to track down the perpetrators. For example, on October 18, the vice-president was quoted as saying: "The Federal Government will not tolerate any act of terrorism in whatever form. Investigations are still going on in the killing of the soldiers and we will apprehend those involved in it and they will be brought to book."<sup>47</sup> On October 22, on the day of the funeral of the nineteen soldiers, President Obasanjo was quoted as saying: "I have directed security agencies to track down and bring the perpetrators to book. We will make sure it does not occur again."<sup>48</sup> It was while the president, the minister of defense and the chief of staff of the army were all attending the soldiers' funeral in the federal capital Abuja that the military began its killing spree in Benue.

When news of the military reprisals first became public, it was greeted with silence by the federal government, in stark contrast with its strong condemnation of the killing of the nineteen soldiers. An army spokesman first denied that soldiers had engaged in killing and destruction, claiming that they had been instructed to find the killers of the nineteen soldiers, not to take revenge on civilians. Army Chief of Staff Alexander Ogomudia said: "I wish to categorically state that Nigerian Army soldiers will for no reason engage in any vengeance mission during internal security operations as this is against our Rules of Engagement and Code of Conduct which are very clear [...]" He claimed that the troops had been deployed to the area to find the killers of the nineteen soldiers, after the Benue State government had failed to do so "within a specified period."<sup>49</sup>

Eventually, as pressure from the media mounted, President Obasanjo was forced to comment. In a response which seemed to bear no relation to the gravity of the events reported to him, he indicated that such actions were to be expected from the military, and that the soldiers might have been acting in self-defense. In a conversation

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<sup>45</sup> Human Rights Watch interview in Abuja, December 21, 2001.

<sup>46</sup> Attacks in Nasarawa were continuing in November and December 2001. In early February 2002, a trickle of people began returning to Nasarawa from Benue, although the overall number of internally displaced in Benue remained high.

<sup>47</sup> See "Killers of 16 soldiers identified," in the Lagos-based *Comet*, October 19, 2001.

<sup>48</sup> See "As army buries 19 slain soldiers..." in the Lagos-based *This Day*, October 23, 2001.

<sup>49</sup> See "As army chief absolves soldiers of blame ... How Tiv villages were sacked," *This Day*, October 26, 2001.

with journalists on the “presidential media chat” on national television, reported in the press, he was quoted as saying: “[...] Whatever else soldiers are taught to be or not to be they are taught to fight in self-defence. [...] I don’t know what you mean by any action against those who carried out the destruction. Military men have their orders, what they do and should not do [...]”<sup>50</sup> He was also quoted as saying: “If they [soldiers] are injected into operations and things go wrong, you blame them for nothing. That is not their training.”<sup>51</sup> The army chief of staff also told a news conference: “The troops will fight back in self-defence. We cannot allow the soldiers to fall again.”<sup>52</sup> Elsewhere he was quoted as saying: “When you send troops out, you give them instructions on what to do, even if everything fails, I don’t think self-defence should fail. It doesn’t give me joy to fight Nigerians. But some things ought to be done. If nineteen soldiers are killed and we keep quiet, a whole battalion can be wiped out. We have to make it clear. You can’t kill people who work for government. You must not make the mistake of attacking them.”<sup>53</sup>

In the face of increasing criticism from human rights organizations and others, including the National Human Rights Commission, the government eventually announced a commission of inquiry on November 11.<sup>54</sup> However, by the end of February, it had still not been inaugurated or begun its work. Its terms of reference are extremely vague, extending well beyond the events in Benue to cover the situation in several other states. The mandate contains no specific reference to the need to investigate the actions of the military in October.

In an official, more detailed response to events in Benue by Minister of Information Jerry Gana, the government stated that “the commander-in-chief in halting the advance of the troops has also instructed that any soldier found to have committed any act of indiscipline or not to have followed the rules of engagement will be appropriately dealt with.” However, the substance of the statement dealt with the abduction and killing of the soldiers. In relation to the Tiv-Jukun conflict, Jerry Gana denied that the federal government was taking sides in this or any other dispute.<sup>55</sup>

It was several days before President Obasanjo ordered the suspension of military operations in Benue. However, even then, he did not order the withdrawal of soldiers from the area, despite many appeals from individuals and organisations in Benue and elsewhere. By early February 2002, soldiers were still stationed in Katsina-Ala, and others had been brought in from Wukari (in Taraba) to Tinene, close to Zaki-Biam, in Benue. At the end of February, the government finally announced that the soldiers would be withdrawn and replaced with mobile police.

The federal government’s first real condemnation of the army’s actions came from Vice-President Atiku Abubakar, who visited some of the afflicted towns in Benue on October 31. He was reportedly shocked by what he saw, regretted what had happened, and undertook to convey his impressions to the president. He stated: “Two wrongs do not make a right ... Unfortunately things went out of hand and today we have to manage two wrongs.”<sup>56</sup> It is not known whether or how the findings of his visit were followed up by the president’s office.

More generally, President Obasanjo has repeatedly condemned the outbreaks of intercommunal violence in different parts of the country, and has set up a number of other commissions of inquiry and meetings between government officials, including governors of the affected states, to discuss preventive measures. It is too early to judge the outcome of these initiatives, the aim of which is to study the historical causes and longer-term aspects of these conflicts, rather than to deal with the immediate situation.

Most recently, on January 24-26, 2002, the president held a retreat on peace and conflict resolution in several states in central Nigeria, including Benue and Taraba. The retreat, which was attended by the president, the vice-

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<sup>50</sup> See “President Obasanjo explains role of military in clash hit states,” in the Lagos-based *Guardian*, October 29, 2001.

<sup>51</sup> See various media reports, including “Kill soldiers, invite disaster, says Obasanjo,” *This Day*, October 28, 2001.

<sup>52</sup> See “Thousands hide in Bush after Nigeria army killings,” Reuters, October 25, 2001.

<sup>53</sup> See “Army refutes report of reprisal killings in Benue,” *The Guardian*, October 26, 2001.

<sup>54</sup> The National Human Rights Commission is a government-appointed body, created in 1996.

<sup>55</sup> See, for example, “Benue: FG reads riot act to soldiers,” in the Lagos-based *Vanguard*, October 29, 2001.

<sup>56</sup> See “Nigeria vows ‘never again’ after massacre by army,” Reuters, October 31, 2001.

president, the governors and other delegates from seven states, produced a number of positive recommendations, highlighting, in particular, the need to resolve disputes around the notions of “indigenes” and “settlers”. The retreat also recommended that all displaced persons “be adequately re-settled immediately and the withdrawal of the military in the crisis areas should be vigorously pursued in the context of demonstrated evidence of the restoration of lasting peace and security.”<sup>57</sup>

At the state level, prior to the military operation of October 22-24, there had been meetings between the governors of Benue and Taraba states to try to prevent further violence in the area and resolve the conflict between Tivs and Jukuns. Unfortunately, none of these meetings succeeded in averting the army massacre, nor in stemming the ongoing violence in Taraba. In relation to the specific events in Benue, the governor of Benue State, George Akume, apologized to the federal government for the abduction and killing of the nineteen soldiers. According to Governor Akume, a security meeting was called, during which the police said they would not be able to control the situation in the aftermath of the soldiers’ murder. It was agreed that the governor would request the deployment of soldiers to cordon off the area while the police searched for the perpetrators, and that the soldiers to be assigned to this mission would be from the 72<sup>nd</sup> paratroop battalion from Makurdi, on the basis that they would be likely to be more neutral than soldiers of the brigade whose members had been killed. The president approved the request and operational orders were given on October 19. However, according to the governor, when the commander from Makurdi reached Zaki-Biam, he was informed that the soldiers from Yola had crossed over from Taraba into Benue, had ill-treated people in Kyado and were preparing to kill them. The commander from Makurdi intervened to try to protect civilians in Kyado, as described above. However, soon afterwards, for reasons which are not clear, the soldiers from Benue were withdrawn and the Yola brigade took over, with the disastrous consequences which followed.<sup>58</sup>

The governor of Benue State unreservedly condemned the vengeance exacted by the military on the population of his state on October 22-24. Given that the Tiv constitute the majority ethnic group in Benue State, and that the vast majority of the victims of the military operation were also Tiv, it is not surprising that he and other state government officials in Benue should have strongly criticized the killings and destruction by the army. The state government has also provided assistance to people displaced by the army’s destruction, but its means have been limited and its resources overstretched, as the state was already hosting tens of thousands of internally displaced people from Taraba and Nasarawa states. The living conditions of the internally displaced in Benue remain extremely poor, despite contributions by nongovernmental organizations such as the Nigerian Red Cross and church-based groups. In late February 2002, the governor of Taraba State, Rev. Jolly Nyame, announced that he would be encouraging the displaced population from his state to return home; a number of measures were being considered to reassure them of their security, including the deployment of police who would not be perceived as biased. However, many internally displaced persons remained apprehensive and fearful that violence could recur.<sup>59</sup>

There has been intense speculation as to the origin of the orders to avenge the death of the nineteen soldiers by sending in the military from Yola to punish the population of Benue. The Benue State government appears to have been completely bypassed in this decision. The Nigerian army being a national institution, answerable to federal and not state authorities, the decision to deploy them in an operation of this kind can only have been authorized at a very senior level in the federal government. Ultimately, the responsibility lies with President Obasanjo, as commander-in-chief responsible for the armed forces.

Many observers have laid the blame, without hesitation, on Minister of Defense Theophilus Danjuma, who is himself a Jukun. Human Rights Watch is not in a position to confirm this theory. However, it is clear that the military operation in Benue must at least have been carried out with the minister of defense’s knowledge or approval. The theory that Minister of Defense Danjuma may have been personally involved would also appear to

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<sup>57</sup> Statement of the Presidential retreat on peace and conflict resolution in some central states, Kuru, 24<sup>th</sup> to 26<sup>th</sup> January, 2002.

<sup>58</sup> Human Rights Watch interview with George Akume, governor of Benue state, in Makurdi, December 20, 2001.

<sup>59</sup> Human Rights Watch telephone interview, February 27, 2002.

pit him, a Jukun, against the former army chief of staff, Victor Malu, a Tiv, whose house was specifically targeted during the military attack.<sup>60</sup>

Minister of Defense Theophilus Danjuma himself was interviewed by journalists about the events in Benue. In an interview with *The News* magazine, he denied any role in the military operation, claiming it was not his but the army's responsibility, and that the journalists should direct their questions to the army chief of staff instead. He stated: "I don't command the soldiers, but I do know that soldiers obey the rules of engagement. You send them out, you tell them what you expect. [...] You don't shoot except in self-defence, when and if you shoot, you should shoot to kill [...] If they acted outside their brief, that is a different question and it is a question only the Chief of Army Staff can answer." With regard to the broader conflict, he denied using his position as minister of defense to manipulate the conflict against the Tiv, but accused the Tiv of having "expansionist tendencies" and of blaming him "as an individual in order to divert attention from themselves."<sup>61</sup>

## VII. THE INTERNATIONAL RESPONSE

While foreign journalists and human rights organizations were quick to respond to the news of killings by the military in Benue, at the diplomatic level foreign governments remained silent. Following the attacks of September 11 in the U.S., the international agenda was almost exclusively devoted to issues related to international terrorism and anti-terrorism. However, all the main international news agencies, as well as national media in many countries, carried the news of the Benue massacres, so no government could credibly claim that it was not aware of it. Yet there was very little public questioning or condemnation of the actions of the Nigerian army; appeals by human rights organizations and by prominent Tiv individuals and organizations were effectively ignored. A number of Western governments, in particular the U.S. and the U.K, view Nigeria as a critical strategic partner in Africa and have apparently opted to refrain from public criticism of the Obasanjo government's human rights record in order to preserve close diplomatic relations.

On November 2, just one week after the killings, President Obasanjo visited the United States for talks with President Bush and other U.S. government officials to discuss the anti-terrorism agenda. Sources at the U.S. State Department have indicated that when Secretary of State Colin Powell met President Obasanjo on November 2, he raised the need for a credible investigation into the violence in Benue. However, no U.S. officials made any public comment about the events in Benue during the visit. Yet during a White House photo opportunity, the only press question to President Obasanjo related to the recent killings of civilians by the Nigerian military. President Obasanjo responded with an account of how the soldiers had been ambushed and killed, and how that had prompted the governor of Benue to request the deployment of more soldiers to assist in apprehending those responsible. He made no mention of any killings by the military.<sup>62</sup>

On November 9, the U.S. embassy in the federal capital Abuja issued a press statement which urged the Nigerian government to conduct an "impartial and transparent" investigation into the killings and unrest, and to bring to justice those responsible for the killing of Nigerian soldiers and civilians.<sup>63</sup> Other than this press statement by the embassy, U.S. government officials raised the issue in private meetings with senior Nigerian officials, in Abuja and in Washington, but have refrained from doing so publicly. For instance, on November 8, Ambassador Robert Perry, deputy assistant secretary of state for African Affairs, raised the events in Benue with the Nigerian charge d'affaires in Washington, and presented him with the Embassy's statement.<sup>64</sup> On December

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<sup>60</sup> Ironically, Victor Malu was chief of staff of the army at the time of the military operation in Odi, in November 1999. In response to questions from journalists about the parallels between the two sets of events, Victor Malu claimed that events in Odi had been completely different and that soldiers there had been acting in self-defense.

<sup>61</sup> *The News*, November 12, 2001, Vol 17, no 19.

<sup>62</sup> Office of the Press Secretary, The White House, "Nigerian President offers solidarity, support to U.S.: Remarks by President Bush and President Obasanjo of Nigeria in photo opportunity." Washington D.C., November 2, 2001.

<sup>63</sup> Press statement of the U.S. embassy in Abuja.

<sup>64</sup> Human Rights Watch telephone interview with Ambassador Robert Perry, Deputy Assistant Secretary of State for African Affairs, February 7, 2002.

13, U.S. Deputy Assistant Secretary of Defense for Africa Michael Westfall met Minister of Defense Danjuma and raised the Benue events as his first talking point.<sup>65</sup> However, such confidential demarches will remain ineffective in the absence of any parallel public pressure for independent investigation and criminal prosecution, or for steps to prevent such events from occurring again.

The U.S. State Department's country report on human rights practices for 2001, published in March 2002, provided an accurate overall assessment of Nigeria's poor human rights record, appropriately describing the killings by the army in Benue as "the year's most egregious case." However, it attributed these and other abuses by the army in part to a lack of training. While this may be true in some other cases, the killings in Benue, as demonstrated above, were part of a well-planned military operation which cannot be explained by lack of training. The report overall did not place sufficient emphasis on the federal government's responsibility to investigate and prevent further abuses, particularly by the security forces.

The U.S. government, in particular, is in a position to exert considerable influence over the Nigerian government, as it has been providing training and equipment to the Nigerian army. For fiscal year 2002, the U.S. will be budgeting approximately U.S.\$ 6.75 million in assistance to the Nigerian military to enhance its capacity to respond to disasters, including \$6 million in Foreign Military Financing for C-130 Hercules aircraft; \$1.5 million in excess buoy tenders (boats used by the U.S. Coast Guard to repair buoys) for the Nigerian navy; \$1 million to fund U.S. mobile training teams; and \$750,000 in International Military Education and Training (IMET).<sup>66</sup> In addition for fiscal year 2002, Congress approved \$26 million for the West African Stability Fund, part of the U.S.'s voluntary peacekeeping operations budget, which includes \$8 million in sustainment training and equipping for the troops trained for peacekeeping in Sierra Leone, known as Operation Focus Relief. Finally, Nigerian participation in a follow-on program to the African Crisis Response Initiative (ACRI) will be discussed during the year, although no new program is likely to take shape until 2003.<sup>67</sup>

In fiscal year 2001, the U.S. assisted the Nigerian military by contracting Military Professional Resources International (MPRI), a consulting firm, to carry out a retraining and restructuring program as part of the Nigerian government's plans to reform the army. The stated aims of the program, initially paid for by the U.S. Agency for International Development (USAID) along with the Nigerian government, included restoring greater civilian control over the military. A separate military training program conducted by United States Special Forces and designed to prepare troops for peacekeeping duty in Sierra Leone (Operation Focus Relief) involved training and equipment for five Nigerian army battalions. The training was reportedly aimed at enhancing combat skills and strengthening command and control, and included a human rights component; the equipment included small arms, communications equipment and vehicles. However, the program had no acknowledged mechanisms to monitor the conduct of those who received the training after they graduated, or to press for accountability if they then went on to violate human rights. While this failing is common to military assistance programs across many different countries, it is particularly serious in the case of Nigeria, where the military has a long history of violating human rights. The massacres and destruction by the military in Odi in November 1999 should have served as a reminder of the importance of such mechanisms, even under a civilian government.

The U.K. and Nigeria signed a Memorandum of Understanding in military cooperation in September 2001. Under this agreement, a British defence advisory team is providing advice to the Nigerian Ministry of Defense on organization, administration, procurement, training and equipment. In addition, the British government has repeatedly demonstrated the strategic importance it attaches to developing a close relationship with Nigeria. President Obasanjo was one of several African heads of state who visited the U.K. in September 2001 for a meeting called by Prime Minister Tony Blair. In February 2002, Prime Minister Blair visited Nigeria, and several other countries in West Africa, in the context of his stated aim to make Africa a priority for the British

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<sup>65</sup> Human Rights Watch interview with Michael Westfall, Deputy Assistant Secretary of Defense for Africa, the Pentagon, January 17, 2002.

<sup>66</sup> Human Rights Watch telephone interview with Col. Terry Tidler, Office of African Affairs in the Office of the Undersecretary of Defense for Policy and International Security Affairs, January 29, 2002.

<sup>67</sup> Human Rights Watch telephone interview with Col. Terry Tidler, Office of African Affairs in the Office of the Undersecretary of Defense for Policy and International Security Affairs, February 13, 2002.

Government. On February 7, he met President Obasanjo and delivered a speech to the National Assembly in Abuja. In his speech, he stressed his wish to promote closer links with Nigeria, and with African countries more generally, and expressed his support for the New Partnership for Africa's Development (NEPAD), an initiative put forward in 2001 by several African leaders (including President Obasanjo) to seek international support for a program of economic, financial, and political development for Africa. Tony Blair highlighted the four priority areas for development: peace, good government, economic growth, and health and education. The British Government views Nigeria as an important actor in NEPAD; President Obasanjo is one of its main sponsors, as well as being the chair of its implementation committee.

Despite these close relations between the U.K. and Nigeria, and the prime minister's personal commitment to promoting the relationship, no British government official is known to have publicly condemned the killings and destruction by the Nigerian army in Benue. According to the Foreign and Commonwealth Office, the government made its concerns known at various levels of the Nigerian government soon after the military operation in Benue, but did not express any of these concerns publicly.

On November 25, 2001, the European Parliament adopted a resolution condemning "the indiscriminate killing of civilians in Benue by elements of the Nigerian army" and deploring "the human suffering caused by ongoing conflicts in this country." It called on the Nigerian authorities to "conduct a rapid, impartial and effective investigation into these incidents and to restore international confidence in Nigeria's democracy and prevent further massacres by the military." The resolution noted that "similar incidents took place in the town of Odi in November 1999 without any action being taken against those involved."

## VIII. CONCLUSION

One of the consequences of the killings and destruction carried out by the military in Benue, two years after the killings and destruction in Odi, is that Nigerians are once again living in fear and deep distrust of the military—a distrust compounded by the passive response of the government to these events. When the current, civilian government came to power in May 1999, many people hoped that after decades of military dictatorship, which had been marked by serious human rights violations by the security forces, the army and the police would assume their proper roles and ensure the protection and safety of the Nigerian population. These hopes have been dashed.

When Human Rights Watch visited Benue State in December 2001, they found an atmosphere of tension and suspicion, especially among the Tiv communities. A view commonly expressed by people living in the areas targeted in the military operation in October was that they did not want the soldiers there at all. The nervousness was such that at the slightest real or perceived sign of military activity, people would flee from their homes and stay away until they judged that it was safe to return. A Tiv community leader said: "Soldiers are not bringing peace and are not protecting people. Why are they stationed here?"<sup>68</sup> A man in Kyado told Human Rights Watch: "People are fleeing all the time. Now the soldiers want to make friends with us. We say no. If they come twenty times, we will run thirty times."<sup>69</sup>

Among the Jukuns in Benue State, Human Rights Watch also sensed a strong fear for their own safety, undoubtedly accentuated by the anticipation that the military operation would lead to further counter-attacks by Tivs. They seemed anxious to keep a low profile and dissociate themselves from the conflict across the border in Taraba.<sup>70</sup> In typical contrast, however, some Jukuns in Taraba said they felt more secure since the military had been deployed; some even claimed that there had been no further violence in areas where soldiers were present.<sup>71</sup>

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<sup>68</sup> Human Rights Watch interview in Abuja, December 21, 2001.

<sup>69</sup> Human Rights Watch interview in Kyado, December 16, 2001.

<sup>70</sup> Human Rights Watch interview in Abinsi, December 14, 2001.

<sup>71</sup> Human Rights Watch interviews in Wukari (Taraba), December 18, 2001.

The reaction to the military operation in Benue has extended to other parts of the country too. In January 2002, it was reported that seven policemen, and several civilians, had been killed in a fight in the town of Danja, in the northern state of Katsina. A heavy contingent of mobile police then surrounded the town. At the time of writing, the consequences of these events in Danja were not yet known, but many observers feared that the events of Benue could be repeated, unless senior government and security force officials took prompt action to prevent another episode of violent retaliation. Without such action, the expression of these fears could become a self-fulfilling prophecy.

The hostility which the military have brought upon themselves by turning against the population in this manner is also likely to generate further violence, especially while armed conflict between different groups continues in the region and in the light of perceptions that the security forces are partisan in that conflict. The situation in Taraba and around the Taraba-Benue border remains critical. The only way to relieve this fear and restore trust and confidence among the population is for the Nigerian government to carry out serious and independent investigations into the actions of the military in Benue in 2001, and in Odi in 1999, to publish the results of these investigations, and bring to justice those found responsible for ordering and carrying out the killings and destruction.

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